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ALFRED POLIZZOTTO III*

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*(ADMITTED NEW YORK, NEW JERSEY)

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MEMORANDUM ENDORSED

VIA ELECTRONIC FILING

The Honorable Gabriel W. Gorenstein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

January 10, 2024

**Re: Response to Erdman letter dated January 10, 2024
Tyler Erdman v. Adam Victor, et al., No. 20 Civ. 4162**

Dear Judge Gorenstein,

This letter is written in response to the letter of the Plaintiff dated January 10, 2024.

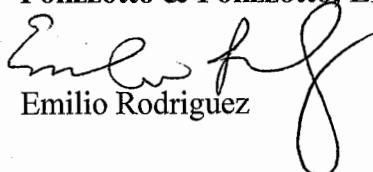
The Order of the Court dated January 4, 2024 states we were to contact the Plaintiff immediately to arrange the date of the conference. That call was made the same day the order came down. During that call, the conference was extensively discussed. The Plaintiff even admitted the only barrier to the conference would be organizing the vendors' schedules to the point of agreeing on an actual date. I have been in daily contact with my point person from TransPerfect (the document vendor), Stephen Kaludis, due to the amended privilege log that was timely submitted on January 9, 2024. Mr. Kaludis informed me he would do his best to make himself generally available around the schedule of the representative from Setec. Mr. Polizzotto and I have expressed the same in terms of our availability. I sent an email to Todd Stefan at Setec Investigations, the forensics firm that served as the custodian for my client's documents, with no response. I have also called him three times at two different numbers (800-748-5440 and 323-939-5598) and left several messages. He has yet to return any of my calls.

PLEASE RESPOND TO BROOKLYN OFFICE

The facts are we communicated with the Plaintiff to timely arrange for the vendor conference, a conference which can still theoretically occur by January 12, 2024. However, it does not appear likely. This request to extend the time within which to hold the vendor conference is also timely, and consistent with the way such requests for extensions have been made in the past.

Therefore, we request the Court extend the time for the vendor conference to January 22, 2024, and deny all other relief requested by the Plaintiff.

Yours faithfully
Polizzotto & Polizzotto, LLC


Emilio Rodriguez

The application for an extension is denied for failure to comply with paragraph 1.E of the Court's Individual Practices. On a separate point, the Court's order from earlier today (Docket # 222) remains in effect. The parties are to talk immediately by telephone. Also, this letter utterly fails to address many of the points and factual contentions raised in plaintiff's letter of January 10, 2024 (Docket # 221) and thus the Court does not construe the instant letter as satisfying Mr. Rodriguez's obligation to comply with the Court's Order filed as Docket # 222.

So Ordered.


GABRIEL W. CORENSTEIN
United States Magistrate Judge

January 10, 2024